

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BOARD OF TRUSTEES OF LOCAL 41 INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS HEALTH FUND

BOARD OF TRUSTEES OF LOCAL 41 INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS PENSION FUND

BOARD OF TRUSTEES OF LOCAL 41 INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS ANNUITY FUND

BOARD OF TRUSTEES OF ELECTRICAL INDUSTRY
EDUCATION FUND

**ORDER FOR
DEFAULT JUDGMENT**

BOARD OF TRUSTEES OF LOCAL 41 INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS UNIT
PENSION FUND

04-CV-326S

LOCAL 41 INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS

Plaintiffs

MODERN TECH DESIGN & SERVICES, INC.

Defendant

Upon the Motion of the above named plaintiffs for Default Judgment and after reviewing the Affidavit of Merits and Exhibits submitted in support of such Motion, and the Supplemental Affidavit of Merits and Exhibits and Affidavit of Susan G. Bevilacqua and Exhibits submitted in further support for the relief requested, and after hearing Craig L. Miller, Attorney for Plaintiffs, in support of such Motion, and there having been no opposition to such relief and no appearance by either the defendant or its counsel, Loran M. Bommer, Esq. , on the return date of such Motion, and upon the default already entered by the Clerk, and after due deliberation thereof, it is

ORDERED that Plaintiffs' Motion for Default Judgment is hereby granted, and it is further

ORDERED that the Clerk enter Judgment against the defendant, MODERN TECH DESIGN & SERVICES, INC. and in favor of Plaintiff, BOARD OF TRUSTEES, LOCAL 41 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS HEALTH FUND in the amount of \$77,840.68, together with per diem interest of \$19.32 from June 10, 2005 until date of entry of judgment with costs of \$66.98 as taxed, and it is further

ORDERED that the Clerk enter Judgment against the defendant, MODERN TECH DESIGN & SERVICES, INC. and in favor of Plaintiff, BOARD OF TRUSTEES, LOCAL 41 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS PENSION FUND in the amount of \$49,984.43, together with per diem interest of \$13.22 from June 10, 2005 until date of entry of judgment with costs of \$43.01 as taxed, and it is further

ORDERED that the Clerk enter Judgment against the defendant, MODERN TECH DESIGN & SERVICES, INC. and in favor of Plaintiff, BOARD OF TRUSTEES, LOCAL 41 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS ANNUITY FUND in the amount of \$25,170.26, together with per diem interest of \$6.89 from June 10, 2005 until date of entry of judgment with costs of \$21.65, as taxed, and it is further

ORDERED that the Clerk enter Judgment against the defendant, MODERN TECH DESIGN & SERVICES, INC. and in favor of Plaintiff, BOARD OF TRUSTEES, LOCAL 41 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS UNIT PENSION FUND in the amount of \$10,288.00, together with per diem interest of \$2.58 from June 10, 2005 until date of entry of judgment with costs of \$8.85, as taxed, and it is further

ORDERED that the Clerk enter Judgment against the defendant, MODERN TECH DESIGN & SERVICES, INC. and in favor of Plaintiff, LOCAL 41 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS in the amount of \$9,603.97, together with per diem interest of \$2.13 from June 10, 2005 until date of entry of judgment with costs \$6.24, as taxed, and it is further

ORDERED that the Clerk enter Judgment against the defendant, MODERN TECH DESIGN & SERVICES, INC. and in favor of Plaintiff, BOARD OF TRUSTEES OF ELECTRICAL INDUSTRY EDUCATION FUND in the amount of \$7,240.93, together with per diem interest of \$1.89 from June 10, 2005 until date of entry of judgment with costs of \$8.27, as taxed.

Dated: July 19, 2005
Buffalo, NY

/s/William M. Skretny
HON. WILLIAM M. SKRETNY
UNITED STATES DISTRICT JUDGE